

FIRST TREATY VOTE IS SHORT IN SENATE

Test on Yap Shows 50 for Ratification, With 64 Necessary.

AMENDMENTS KILLED Adoption Would Send Pact Back to Harding for Re-negotiation.

FOES SHOW STRENGTH

Only Four Democrats Join Republicans in Two Minor Changes.

Special Dispatch to THE NEW YORK HERALD.
Washington, D. C., Feb. 28.

The first test vote on the treaty with Japan concerning the island of Yap, negotiated during the progress of the Conference for the Limitation of Armament, came today in the Senate, resulting in a relative showing of 50 votes for the treaty and 33 against it.

Only four Democrats—Underwood (Ala.), Williams (Miss.), Myers (Mont.) and Pomerene (Ohio)—voted with the Republicans.

While the vote scored by the friends of the treaty fell short of the two-thirds that will be required for ratification, amounting to sixty-four votes, it also demonstrated a degree of strength among the opposition which had not been expected.

The test vote was on an amendment offered by Senator Pittman (Nev.) which extended the guarantee already contained in the treaty to American nationals. It was unimportant, but the effect of the adoption of the amendment would have been to send the treaty back to the President for renegotiation.

Seeks to Bar Liquor.

The failure of the treaty opponents to obtain adoption of the Pittman reservation was followed by an amendment offered by Senator France (Md.) whose purpose was to protect the natives of Yap from the drink evil. Senator France's amendment provided that no liquor should be dispensed to natives of islands over which a mandate had been granted to the Emperor of Japan. Senator France was in the midst of a plea for the backward people of Yap threatened with the liquor habit when Senator Lodge caustically called his attention to the fact that the treaty already contained a provision which pledges the Japanese Government to withhold intoxicating liquor from the natives.

Senator France subsided when Senator Reed (Mo.) came to his rescue and proposed an amendment to the treaty which was promptly voted down by a record vote of 32 to 11.

Democrats Are Undecided.

While this humorous feature of the debate enlivened the proceedings it added nothing to the situation except an opportunity to demonstrate that Senator Lodge has the Republican majority well in hand with four exceptions and that the Democrats apparently have not made up their minds to carry policy relative to the treaty. The fact that Senator Hitchcock (Neb.) voted for the Pittman amendment which would have sent the Yap treaty back to the President was noted with surprise.

Senator Borah (Idaho) explained the reasons for his opposition to the Yap treaty in a brief speech. He charged that the signing of the Philippines treaty, which the United States Government had undertaken on a course of imperialism which necessitated resort to all of the tactics of imperialistic aggression. He objected to features of the treaty, one of them requiring the Japanese Government to submit a copy of its report on administration to the United States as well as to the League of Nations. He said in this provision recognition of the league. He objected to participation by this Government in the task of overseeing Japan's administration of the islands, which he said the two Governments never could agree.

CONTENDS LEGAL HOME IS WHERE PHONE IS

Company Raises Point in Suit for Breach of Contract.

An endeavor to establish legal residence as the place where one has a residential telephone was made yesterday by the Western Telephone Company, which is being sued by Matthew Kleinfrock for \$6,842 for alleged breach of contract in Orange County Supreme Court. The plaintiff says he lives in Highland Falls and that the suit is brought properly in Orange county.

The defense alleges that Kleinfrock has a home at 408 Third avenue, Brooklyn, where his family lives and where there is a telephone in Kleinfrock's name. And seeks to have the action tried in E. J. Ryan, Justice Morawetz directing the Orange County court to dismiss the suit.

INCURABLE KILLS HIMSELF.

Patient in Bronx Institution Hangs by Belt.

Richard Hoffman, 32, a patient in the hospital for incurables, Third avenue and 10th street, The Bronx, committed suicide yesterday by hanging himself from the head of his bed by a leather belt. Harry Stern, a nurse, discovered the body.

Hoffman was admitted to the institution in 1911. Before that time he was a patient in Lincoln Hospital.

NEW YORK DETECTIVE GRAB BILL UP AGAIN IN ALBANY

Police Lobby Believes Measure Will Pass, but Legislators Fight Shy of It—Bill in to Reimburse Inspector Lahey.

Special Dispatch to THE NEW YORK HERALD.
New York Herald Bureau,
Albany, Feb. 28.

New York detectives have reappeared with their bill to make their positions permanent and boost their salaries. The identical measure to pass which a shuff fund was raised last year. Exposure of that fund was exposed by Senator Clayton R. Lusk, majority leader, announced the detectives had given him a \$1,200 silver service in recognition of his efforts to force through the bill. Cornelius J. Browne and James J. Gegan, who lobbied for that bill last year, appeared in the capital corridors today. Several members of the Senate and Assembly said they had been asked whether they would handle the bill this year, and had declined. It is understood the measure will be introduced in the Senate by Senator Thomas I. Sheridan, Democrat, of New York.

Senator William Duggan, Republican, of New York, today introduced a bill authorizing the Board of Estimate to reimburse Inspector William J. Lahey for the expenses he had in defending an indictment against him that was dismissed. Duggan said the bill was handed him by Gegan and Browne, but they denied it. The detective lobby insists that it has assurances the bill cementing them into life jobs will be passed again this year, but Senators and Assemblymen all appear to be afraid of it.

SIMS TELLS WHY HE WAS NOT PROMOTED TO PUBLIC SERVICE

Elevation to Grade of Admiral Held Up After Exposure of Navy Department.

NEWSPAPER, N. Y., Feb. 28.—(Leaf Adm.) Sims issued a statement today regarding recent alleged propaganda for his promotion to the grade of Admiral, based on letters written to, or by, John L. Leighton. He said:

"I have been asked whether I was informed of the activities of some of my friends, including Mr. Leighton. I was informed by the latter that they proposed to ascertain the attitude of people toward the treatment accorded the navy since the war, and I was glad to know this because I considered what they proposed to do would be a valuable service not only to the navy but to the people and this because there can be no doubt that the American people are easily misinformed as to certain facts of importance to the navy.

"Though I do not for a moment wish to convey the impression that I am not human and have no ambition for myself or my children in this matter, still it is not a question of the personal interests of any one man, but it is very much a question of the influence upon the morale of the failure of the navy to receive adequate recognition for the services rendered in the war zone. Such a failure, officially and historically, discredits these forces and those who were responsible for their conduct in contact with the enemy.

"In 1919, Admiral Sims continued, 'the last Administration recommended to the Congress that I be promoted to the rank of Admiral. This was approved by the Senate and the House of Representatives but was hung up in the Senate. This approval by the House apparently created the impression that I should be promoted to Admiral, as recommended.

"Upon my return from Europe I was confronted with the necessity of making a decision as to whether I should submit an official report of the inefficiency of the Navy Department that caused us such serious losses in men and shipping, with a view to bringing about a reorganization of the Department, or whether I should remain silent and leave the American people under the very dangerous impression conveyed by the Department's official reports that the navy and the Department were efficient and prepared from stem to stern.

"Had I chosen the latter alternative there would probably be no necessity for this discussion of my promotion at the present time. But, considering the information I possessed, to allow our people to remain so dangerously misinformed as to the efficiency of the navy, and to see that I was not cowardly, I therefore submitted an official report, and the result was a Senate investigation which established the truth of my statements.

"Surely the navy deserves recognition as well as the army for the success with which it carried out its mission, and it appears to me that anything but a properly done even now to bring this to the attention of the public is to be commended as a public service."

MORSE BAIL \$50,000; OTHERS \$10,000 EACH

Government Wants Trial Within a Few Weeks.

Special Dispatch to THE NEW YORK HERALD.
New York Herald Bureau,
Washington, D. C., Feb. 28.

Charles W. Morse, his three associates and eight others who were indicted yesterday by the Federal Grand Jury on charges of conspiracy in connection with alleged munitions sales, gave bonds today for their appearance for trial.

Bond in the cases of eleven of the defendants was set at \$10,000 each by United States Attorney Peyton Goff. Charles W. Morse was required to furnish a bond of \$50,000 for his appearance. All the men obtained surety.

Mr. Gordon said he hoped to have the case ready for trial within a few weeks. Mr. Morse made an effort to have the indictments against the twelve defendants quashed as a preliminary move. He said that an indictment may be filed within a few days.

There is a possibility that the case will go over until the autumn term of the court through delays by the filing of arguments of formal motions on the indictments. The investigation of the Morse accounts as regards the records of several companies of which the defendants were principals stockholders, has been practically completed, and experts from the office of the Attorney General, headed by special Assistant Attorneys General, are at work preparing the evidence to be offered at the trial.

Mr. Lambert expressed the view that the case against the defendants will be dropped with the first motion to quash. He said that facts which have not yet been presented will be offered as a basis for discontinuing the case and dropping the charges.

ELsie DE WOLFE WINS SUIT.

Mrs. E. B. McLean Must Pay \$13,120 Decorating Bill.

Washington, Feb. 28.—A verdict of \$13,120 with five years interest was returned today by a jury in favor of Elsie De Wolfe, New York interior decorator, against Mrs. Edward B. McLean, Washington.

Mrs. De Wolfe decorated several rooms in the McLean home here, but Mrs. McLean refused to pay in full, because she was dissatisfied with some of the work.

ISLAND ON MAINE COAST Bought to Breed Gulls

PORTLAND, Me., Feb. 28.—The Cumberland County Audubon Society, incorporated today, to preserve bird life, has purchased Twenty acre Egg Rock, an island of twenty acres by Broad Bay, where it will breed seagulls and other birds native to this coast.

The island, three miles off shore, is one of the best breeding places in this section. Laughing gulls, herring gulls, sea pigeons and stormy petrels make their home there.

HER MIDNIGHT PLEA FOR SON'S LIFE VAIN

Mrs. McCormick Finds Gov. Miller After Quest in Dark in Capitol.

ALBANY, Feb. 28.—Found trying doors on the darkened second floor of the Capitol late last night by Secretary of State John J. Lyons, Mrs. Mark McCormick, mother of George P. McCormick, convicted slayer, who is to pay the death penalty in Sing Sing prison Thursday for the killing of Edward J. Bremer, a wealthy Chicago banker, who was tried in New York during a quarrel over a \$5 bet on a baseball game, was accorded an audience by Gov. Miller at midnight and made a futile plea for execution of her son.

The Governor readily informed the mother, however, that he could not go behind the findings of his commission, which had found the slayer sane but mentally inferior.

HYLAN HEARS SPEECHES

Acting Chairman Ryan As-serts He Is on Track of Arch Conspirators.

Special Dispatch to THE NEW YORK HERALD.
New York Herald Bureau,
Albany, Feb. 28.

The New York Board of Education is free from politics and has accomplished more for the schools of New York than any of its predecessors, members of the body declared today at a hearing before the Senate Education Committee on the Meyer bill creating a board of fifteen to be appointed by the Mayor and the members of the State Board of Regents residing in the city.

Opponents insisted that the measure was unnecessary and the result of propaganda to strip New York City of the control of its schools. They charged that politics was behind the bill, answering arguments of its advocates that it would drive politics out of the city's schools.

Mayor Hyman attended the hearing and showed keen interest whenever the names of Clarence Meloy and William McAndrews, the recently reelected associate superintendents were mentioned.

FAIR TREATMENT WANTED.

"All we want is fair treatment," said George J. Ryan, acting chairman of the Board of Education. "Stop all this propaganda. The proof that it is a smoke screen covering up some interest group, was evidenced ten days ago when Meloy and McAndrews were reelected in the face of all the hub and cry that they were to be thrown out. I am going to trace down their archconspirators. This bill is the outcome of their propaganda. We are going to nail some of the great 'I am's' sitting by and trying to get away with it."

Edward Mandell, a district superintendent, representing the Federation of Teachers Associations, charged that the motive behind the bill was to take away control of the schools from the city.

Mr. Ryan said that if they would favor an elective school board, but Mrs. Cora L. Magnus, executive secretary of the local school board, one of its advocates, replied that many of the people of New York had the intelligence of children of 5 and were not educated in American ideas.

Mrs. Magnus's Charge.

Mrs. Magnus charged that the schools were being steadily taken over by the moneyed class. She said she had seen the present school board know so little about school affairs that it was absolutely necessary to have a new board.

Speaking against the bill Harry R. Chambers, a member of the Board of Education, said the New York city school system was the best in the world, with 25,000 teachers and 600 schools was the greatest in the world and that if there is anything wrong the State Regents have the power to correct it. He said the Board of Education was not a political body and that it was not the duty of the Board of Education to be called political.

Dr. Henry Derr, representing tax payers, Mr. Babineaux, president of the Teachers Association, and Mr. Lewis, former chairman of the Board of Education, Miss Nichol, secretary of the Federation of Teachers Associations, and Peter A. Brady of the State Federation of Labor also opposed the bill.

Among those who spoke for the bill besides Mrs. Magnus were Howard W. Nudd, secretary of the Public Education Association; Harry C. Lewis, of the Citizens Union; Mrs. Marion B. Kelly of the Women's Municipal League; William M. Chadbourne of the Public Education Association; and James Russell Parsons of the local school boards and the Rev. Albert E. Roraback of the Federation of Churches of Brooklyn. Mr. Chadbourne insisted that New York schools were in bad shape because of the system rather than the shortcomings of any of the city officials.

'WET' CHEERS IN ALBANY PARALYZE THE 'DRYS'

Anti-Saloon League Is De-nounced as Scheme.

Special Dispatch to THE NEW YORK HERALD.
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Assemblyman Louis Cuvillier, Democrat, and foe of prohibition, at a public hearing today attacked the Anti-Saloon League as a moneyed scheme and urged that within a short time there will be legalized traffic in beer and wines in this and every other State.

Several hundred men, including William A. Raymond, V. Ingersoll and Walter T. Raymond of the Citizens Union appeared in favor of the bills.

POLICE ATHLETE ON TRIAL.

Motorcycle Policeman John J. Miller, Olympic champion hurdler, was placed on trial yesterday before Deputy Police Commissioner Leach in Brooklyn charged with failing to cooperate with a fireman in the performance of his duty.

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RAINS DENIES ARGUES FOR BIGGER MARINE

Louisiana Senator Explains Situation to the Bronx Board of Trade.

Support of the President and members of the Shipping Board in their efforts to "make success of marine" was urged by Senator Rainsell of Louisiana in an address last night before the Bronx Board of Trade at the Hotel Astor.

"The situation is critical," he declared. "We must establish our merchant marine on a sound basis now or drop behind the overseas procession and depend on commercial rivals to carry our foreign commerce. Such a policy would be ruinous."

The Senator also declared that "a really strong, well balanced merchant marine" was essential to the maintenance of the naval parity with Great Britain established under the treaty negotiated at the armament conference. Senator Rainsell also outlined highway and water transportation development in the South and declared that "prevailing ocean rates on overseas commerce discriminate in several particular against the South Atlantic and Gulf ports." Southern ports severely handicapped by the World War produced cotton and foodstuffs and "exercise a strong influence toward lower prices of all agricultural products, thus affecting beneficially the entire nation."

Referring to the Muscle Shoals project, Mr. Rainsell said that when completed the Government will have nitrogen for fertilizers and thus would bring larger and cheaper crops of cotton and foodstuffs and "exercise a strong influence toward lower prices of all agricultural products, thus affecting beneficially the entire nation."

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RADIO CHAOS NOT DUE TO SMALL BOYS OF U. S.

Goding Says They Are Victims of Big Combinations.

Special Dispatch to THE NEW YORK HERALD.
New York Herald Bureau,
Washington, D. C., Feb. 28.

Paul Goding of the American Radio League in an address before the radio conference called to perfect a new system of radio regulation, said:

"The small boy is not responsible for the radio chaos that now exists in the air from the use of the radio. The radio is the radio instrument makers, who have been unloading upon America's youthful geniuses a lot of inferior instruments."

Mr. Goding said he spoke for 20,000 American boys, members of the American Radio League, who need the utmost protection and encouragement from the Government. He said that the radio is the radio instrument makers, who have been unloading upon America's youthful geniuses a lot of inferior instruments.

NAME 'WASHINGTON' ALWAYS O. K. IN RUSSIA

Moscow, Feb. 28.—An exceeding faith is shown in the name and picture of George Washington since the scramble for foreign money began here a few days ago. Money changers refused to take any checks, and the American cash they accept must bear the engraving of George Washington. Such bills they call "Washingtons."

The reason for this is that local dealers have in earlier times accepted Canadian dollars at the same face value as American dollars. But now, when there is a difference of some 12 per cent in the two moneys, dollars fluctuate in value from \$90,000 to \$50,000 rubles.

OBITUARIES.

CAPT. WILLIAM J. CLARK.

Police Capt. William J. Clark, who has been in command of the 100th street police station for the last six months, died yesterday in St. Luke's Hospital after a short illness. He was 58 years old, and had been in the department for 25 years. He was a partner before he became a policeman. He was made a captain in 1912 and assigned to the Charles street station. He was a member of the Police Association and a member of the Police Athletic Club. He was a member of the Police Athletic Club. He was a member of the Police Athletic Club.

BRADY.—On February 22, 1922, at his residence, 120 West 7th st., Mary A. Brady, wife of John A. Brady, died at the age of 85 years. She was a native of Ireland and had been in this country for 40 years. She was a member of the Church of the Blessed Sacrament, Broadway and 1st st., Wednesday evening, March 1, at 8 o'clock. Burial in the Holy Sepulchre Cemetery, New York City.

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